



## ***DBE NEWSLETTER***

MONTANA DEPARTMENT OF TRANSPORTATION  
Published Monthly by DBE Supportive Services

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January 2002

**HAPPY NEW YEAR**

**WISHING YOU A HAPPY AND  
PROSPEROUS NEW YEAR!!**

*From the Staff at MDT Civil Rights Bureau*

### **Quarterly Activity Report**

The Quarterly Activity Report is due from all DBE businesses for October-December 2001. The deadline is January 31, 2002 to submit this report to the DBE office. Include all projects for your business (including non-MDT and MDT projects worked and bids submitted).

You may use your own report format or complete the attached form (The form has also been posted to the MDT Civil Rights Bureau web site (under DBE Supportive Services).

Thank you.

### **MONTANA DBE PROGRAM**

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### **PLEASE LET US KNOW**

If you change your business phone number, address, or services provided by your business, please inform the DBE staff (Debbie Riemann or Rebecca Johnson) as soon as possible. Thank you!

### **REMINDER**

Just a reminder that the 2002 construction season has begun. Those companies that are going to be working on any Federal Aid projects in this calendar year, will need to have their EEO Submission in and approved by our office prior to any work performed on those projects.

If you need assistance with this, please call Alice Flesch at (406) 444-6331. Thank you and have a wonderful year!!!

### **SMALL BUSINESS WORKSHOP**

Sponsored by DBE Supportive Services.  
**March 6-7, 2002**, MDT Auditorium in Helena, No Fee for Workshop, Up to \$200 Reimbursed for Travel Expenses, Proposed Workshop topics are Bonding, Developing Subcontracts, Marketing, Internet Service, Prompt Payment, Business Coaching, Prompt Payment, and Bidding/Estimating

### **INSIDE THIS ISSUE**

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## **ON TRACK WITH MDT**

Like other organizations, MDT has many dedicated employees and divisions working behind the scenes to make our programs (and roads) the best they can be. Oftentimes, these folks work tirelessly without the public or our partners knowing what they're doing. My goal is to change that by discussing some of the more intricate facets of our department over the next several months. Specifically, I'd like to talk about MDT's civil rights and disadvantaged business enterprise (DBE) programs in light of the regulations that govern them.

The history of MDT's civil rights bureau is more detailed than this space allows for, so I'm not going to spend a lot of time on that. What's important to know is that this unit was founded to meet federal civil rights regulatory requirements, including those stipulated in Title VI, Title VII, the Americans with Disabilities Act, TEA 21 and so forth. The efforts our civil rights staff undertake are based on the requirements in these and other civil rights regulations, and MDT undergoes periodic management reviews by the Federal Highway Administration (FHWA) to evaluate the effectiveness of our programs. When a deficiency is noted, we must correct it, for part of our federal funding is contingent upon meeting these civil rights regulatory requirements.

Our most recent management review took place in November 2001, and the results were outstanding. Willie Harris of FHWA's Western Regional Office concluded that MDT continues to meet all federal civil rights regulatory requirements, and he acknowledged individual staff for their roles in making that happen. Harris did note one major deficiency with internal training statistics, and MDT has taken steps to correct that problem. Frankly, MDT's civil rights staff have done a tremendous job managing our program, and the FHWA representative saw that. What I want now is for our public and partners to see this as well, and the best way for that to happen is to talk about programs that are of special interest to you.

MDT has begun doing that by meeting with representatives from FHWA and the Montana Contractors Association regarding one facet of our civil rights bureau, the disadvantaged business enterprise (DBE) program. While complex, the DBE program has two highly public functions: 1) it certifies highway related businesses owned by minorities, females and other socially/economically disadvantaged individuals, and 2) it monitors the bidding and construction process to create a level playing field in which certified DBEs can compete. Like our other civil rights efforts, the DBE program is a federally mandated program, and our staff's job is to ensure that those regulations are met. Our job is made more challenging by the fact that the regulations for parts of the program are lengthy and hard to define. Given that, we've made a commitment to help clarify and interpret those regulations, and we will do everything possible to make that happen.

To start with, MDT has involved the contractors in setting our annual DBE goal and in discussing how to track DBE participation throughout the life of the project. Our staff, however, still encounter contractor frustration over DBE requirements, hearing comments such as, "I can do that cheaper than I can hire a DBE contractor to do it." Frankly, statements like that go against the very foundation of the program.

Specifically, DBE's good faith efforts requirements state that, during the bidding process, bidders must either 1) get enough participation to meet the DBE goal for that contract, or 2) make a good faith effort to meet that goal. These goals are not numbers plucked out of the air; rather, they are percentages set according to the types of work associated with the contract, and they reflect the number of DBEs ready, willing and able to do the work specified. I don't know whether the prime contractors may be able to do the work for less than they can hire a DBE to do it – that is not the issue. The real issue is meeting our joint civil rights obligations, for that is the only way we can build and maintain effective programs and roads. I realize that I am talking about a change in perspective again. It's an idea I've been discussing for months and one I will continue to bring up, for I see it as crucial to the success of our state. I know that we have some serious issues to address, but I am confident that we can and will do so, and I'm asking for your help in making that happen.

Happy New Year, and thanks for staying "on track" with MDT! Dave Galt, Director

## **ANNUAL ELIGIBILITY UPDATE**

Two months before your anniversary date of your DBE certification, you will receive a letter requesting completion of the Annual Eligibility Update Form. When you receive this letter, complete and submit the form and documentation as soon as possible to complete this process. If you fail to send in this form and documentation before your anniversary date, you risk denial of your certification for failure or refusal to provide information necessary for the certification process. Thank you for your cooperation.

## EEO OR DBRA-RELATED ISSUES

By Jim Phillips, Compliance Specialist, MDT Civil Rights Bureau

Annual Equal Employment Opportunity submissions to the Civil Rights Bureau of the Montana Department of Transportation permits a contractor to work on federal-aid highway construction projects for that calendar year only. Submitting an EEO assurance once a year is different in Montana than in surrounding states. States neighboring Montana require an EEO submission for each project on which a contractor wants to work. MDT/CRB thinks giving ones' word, once a year, is enough.

The EEO submission assures the state, that the submitting company will conduct its' affairs the way that civil rights acts require. There are four basic parts to the annual EEO submission. First, the business states that it will not discriminate against people because of their race, religion, sex, color, disability, martial status, age or national origin.

The second part of the submission names the person who is in charge of the EEO program. The named EEO Officer is given the "meaningful backing and cooperation" of the firms' management and states what duties that Officer is to perform. Third, the submission lays out the steps an employee should take to file a discrimination complaint. And, fourth, the submission contains a copy of the form the employee can use to file a complaint.

At pre-construction conferences the prime contractor indicates that the company will have EEO meeting weekly, bi-monthly or monthly during the time of the contract. These on-site "meetings" are usually part of a Monday work plan and safety session. The Civil Rights Bureau is providing with the approval letter of the company annual EEO submission a set of fifty-two EEO short topics. Each topic, presented by a supervisor at a "weekly" Monday meeting, is considered as appropriate training under the contract provisions.

Copies of the annual EEO submission are filed with the CRB. A copy is given to the MDT Engineering Project Manager and another copy is posted on the project bulletin board. The different copies in different locations are to give any person wishing to know the company policy and procedure a choice of where they can get the information.

At the present time the CRB accepts annual submissions by fax and mail. In the planning stage is a method for firms with computers, to access the MDT web site, find the annual EEO submission location and complete the submission electronically.



### **Quote of the Month**

*"Failure is the opportunity to begin  
again more intelligently"*  
**Henry Ford, Founder, Ford Motor  
Company**



## **DBE COMPANY MONTHLY UPDATE**

### **Newly Certified DBE Companies**

- **Heartland Consortium**, Verni Nerren, Canton, OH, Business Technical Support, Training, Marketing, Secretarial Services.
- **Northwest Archeological Associates, Inc.**, Christian J. Miss, Seattle, WA, Consulting-Cultural Resource, Archaeology, Archaeological and Historical

### **Re-Certified DBE Companies**

- **Beck Consulting**, Barb Beck, Red Lodge, MT, Consulting-Cultural Diversity, Management, Team Building and Planning, Training-Conflict Management, Communication, Writing & Editing, Public Facilitator.
- **L.A. Olson & Associates**, Billings, MT, Professional Engineer (PE)-Mechanical and Environmental, Architect Consultant-Project and Structural Design, Site Engineering, Feasibility Studies, Construction Management, Drafting, Surveying, Preparation of Grant/Proposals, Master Planning, Management Planning, ADA Accessibility Studies and Design
- **Petticoat Pipe Cleaning**, Carol Gerovac, Belgrade, MT Pipe and Culvert Installation, Approach Pipe, Metal Culvert Extensions, Sewer and Water Line Installation, Cleaning Storm Drains and Culverts
- **J&R Trucking**, John Eneas, Elmo, MT, Places Dirt and Aggregate, Truck Hauling (Dirt and Aggregate Supplies)
- **Sanchez Electric, Inc.**, Thomas Sanchez, Mills, WY, Electrical Installation-Residential, Commercial and Industrial, Airport Electrical Signing and Runway Lighting, Interstate Lighting, Electrical Signals, Lighting, Misc. Electrical Work, Trenching
- **C&A Small Trucking**, Anita Small, Busby, MT, Truck Hauling (Dirt and Aggregate Supplies), Places Dirt & Aggregate, Concrete Forming and Finishing, Misc. Concrete Work.

### **MT DBE Reimbursement Program 2002**

\$300 for Training  
\$300 for Business Development

For more information, call Rebecca to use these funds.

## **FREE DONUTS AND COFFEE**

DBE Supportive Services will provide free donuts and coffee at the January 31st bid letting from 8:30-10:00am in the MDT auditorium. I will have a table available for you to advertise your company. Please send me your company brochures and marketing materials to make available to contractors. Send me your comments on ways to tailor this event for you to receive the greatest benefit for your company. Please plan to attend and take advantage of this opportunity to network.

### **Montana DBE Program Logo Contest Continues...**

Win a Palm Pilot (Electronic Planner). You are invited to submit a logo to represent the DBE program. Fax, e-mail or mail your submission to Rebecca by May 1, 2002. The criteria for selection of the logo will be originality, artistic quality, professional appearance, and a logo that demonstrates the nature of the program. The contest is now open to any individual or business to submit their logo idea.

### **Small Business Resource Guide**

Get your free copy of the Montana Business Resource Guide. It is packed with information regarding small business funding and bonding sources, assistance resources, and contact information. Call Rebecca for your copy today.



Nikki and Roy Whitford, Willow Creek Construction, Browning, MT



## **Local Technical Assistance Program (LTAP)**

offers the following courses:

### **Winter Travel/Survival**

January 9-Butte, January 10-Dillon,  
January 16-Bozeman, January 17-Billings

### **Train the Trainer/Flagging**

February 17-Helena

### **Work Zone Flagging**

March 26-Miles City, March 27-Glendive,  
March 28-Billings, April 23-Great Falls,  
April 24-St. Mary's, April 25-Kalispell,  
April 26-Butte

LTAP also offers the following training upon request to companies: Equipment Training (Motor Grader, Loader, Forklift, Culvert Design and Installation), Winter Travel/Survival, and Work Zone Traffic Control.

Contact Donnetta Bohman with LTAP to get more course information, register for a course, or get on their quarterly newsletter mailing list at 800-541-6671 or [dbohrman@coe.montana.edu](mailto:dbohrman@coe.montana.edu)

### **Flagger Training**

February 18-19-Pablo, February 20-Kalispell,  
February 21-Missoula, March 1-Billings, March 11-Helena, March 12-Great Falls, March 14-Butte  
Contact Laborers AGC 406-442-9964 to register.

Contact State of Montana Occupational Safety and Health Training Institute at 406-444-6401 to sign up for basic and advanced safety and health courses or request safety and health documents for your business. Complete course listing is on the Civil Rights web site or in last month's newsletter.

Go to these web sites for more training ideas:

- Lorman Education at [www.lorman.com](http://www.lorman.com)
- National Seminars Group at [www.natsem.com](http://www.natsem.com)
- Business Connections at [www.mbc.umn.edu](http://www.mbc.umn.edu)



## **LEARNING OPPORTUNITIES**

MDT Organizational Development is now offering DBE companies the opportunity to check out materials from their resource library of several hundred books, videos, and audiotapes available to you to checkout for two weeks. The complete listing is on the MDT Civil Rights Web Site at <http://www.mdt.state.mt.us/civilrights/pdf/orglibrary.pdf> Complete the on-line check-out form or send your requests to Rebecca.

Some of the titles are In Search of Excellence, A Tale of "O", Professional Supervision Skills, Teamwork, The 7 Habits of Highly Effective People, One Minute Manager, Time Management, Communicating Skills, Substance Abuse, Back Injury Prevention Program, Safety on the Job, Official OSHA Safety Handbook, Construction Safety Handbook, Safety Success for Managers, Crane Safety, Forklift Safety, Pavement Structure Repair, Snow Fence Guide, Traffic Control Safety.

## **ON-SITE CONSULTATION PROGRAM**

The Montana Pollution Prevention (P2) Program can schedule a free on-site visit to your business to assess your existing environmental and waste management practices, and provides guidance and advice to improve them without risk of enforcement action. Identify waste reduction and cost-saving opportunities for your business. Call 888-678-6872 Jon Hudson to schedule your visit Today.

## **On-Line SCORE Counseling**

The SBA Service Corps of Retired Executives (SCORE) provides small business counseling via e-mail. Go on-line and submit your business question to an experienced SCORE counselor. <http://www.score.org/>

## **Current Montana Transportation Department Highway Construction Projects**

For the quickest and most complete notification information of these projects as they are advertised for bid, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not reply on this information alone. If you do not have Internet access, please contact Rebecca to get on a monthly mailing distribution list for a printed copy of the Invitation for Bids.

### **Invitation for Bids, Letting of January 31, 2002**

Sealed bids on the following projects will be received by the Montana State Department of Transportation-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on January 31, 2002. The bids being publicly opened and read thereafter at 10:00am in the Department's auditorium. Bids proposals, plans, cross-sections, dirt runs if available, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form. These documents may be requested by FAX (406) 444-7236, by mail or by calling (406) 444-6216, 6212 or 6215.

1. **Federal Aid Project No. NH-STPP-IM-STPX-STPS 0002(618).** Application of epoxy pavement markings on 419.2 km of the 2002-D1-Durable pavement markings project in Mineral, Sanders, Flathead, Lake, Missoula, Powell and Granite Counties. Contract to be completed by July 15, 2002. Estimated construction cost is between \$500,000.00 and \$800,000.00. The DBE contract goal is 0.0% Cost of plans and proposal \$10.00 per set.
2. **Federal Aid Project No. STPP-STPS-STPX-NH 0002(619).** Application of epoxy pavement markings on 217.3 km of the 2002-D2-Durable Pavement Markings project in Meagher, Broadwater, Gallatin, Madison, Beaverhead, Jefferson and Silverbow Counties. Contract to be completed by August 31, 2002. Estimated construction cost is between \$100,000.00 and \$300,000.00. The DBE contract goal is 0.0%. Cost of plans and proposal \$10.00 per set.
3. **Federal Aid Project No. STPP-STPS-NH-IM 0002(622).** Application of epoxy pavement markings on 253.3 km of the 2002-D5-Durable Pavement Marking project in Fergus, Judith Basin, Petroleum, Wheatland, Musselshell, Yellowstone, and Carbon Counties. Contract to be completed by July 1, 2002. Estimated construction cost is between \$200,000.00 and \$500,000.00. The DBE contract goal is 0.0%. Cost of plans and proposal \$10.00 per set.
4. **Federal Aid Project No. NH 5-2(95)47.** Upgrade of Traffic signals, curb and sidewalk, signing and pavement markings on Ronan Traffic Signals, project in Lake County. Project is located in Ronan on US Route 93 at intersections with Eisenhower Street and Round Butte Road. Contract to be completed by May 17, 2002. Estimated contract cost is between \$80,000.00 and \$300,000.00. The DBE contract goal is 0.0%. Cost of plans and proposal \$10.00 per set. Cost of large plans is \$12.00.
5. **Federal Aid Project No. STPP 13-1(36)49, NH 50-1(18)70, STPP 50-2(40)82, IM 90-6(95)279, IM 90-6(92)318.** Seal and cover on 73.1 km of the following projects: **STPP 13-1(39)49**, Ennis-McAllister road on US 287 in Madison County, beginning at RP 49.200 and extending north 10.1 km to RP 55.487, Section 33, Township 4 South, Range 1 West. **NH 50-1(19)70**, Gallatin Gateway-North & South road on US 191 in Gallatin County, beginning at RP 70.197 and extending NE to RP 73.259. Beginning at RP 74.402 and extending N. to RP 81.903 at Four Corners. **STPP 50-2(47)82**, The Four Corners-Bozeman road on I-90 in Gallatin County, beginning at RP 82.018 Four Corners and extending 9.43 km N to RP 87.805, Section 11, Township 5 South, Range 5 East. **IM 90-6(99)279**, The Three Forks-Manhattan road on I-90 in Gallatin County, beginning at RP 278.656 and extending SE 17.05 km to RP 289.376, Section 11, Township 1 North, Range 3 East. **IM 90-6(100)318**, The Bozeman Hill road on I-90 in Gallatin and Park Counties, beginning at RP 318.394 and extending E. 19.61 km to RP 330.632, Section 21, Township 2 South, Range 9 E. Contract to be completed in 60 working days. Estimated contract cost is between \$800,00.00 and \$2,000,000.00. The DBE contract goal is 0.0%. Cost of proposal is \$10.00.

6. **Federal Aid Project No. STPP 56-1(3)0** Widening, pulverized, plant mix overlay, signing and bridge repair on the Bull Lake-South project in Sanders County. The project begins 54 km S. of Troy on Montana Route 56 at its junction with Montana Route 200 at Station 0+26.2 (RP 0.0) and extends N. 26.6 km to the Sanders-Lincoln County Line at Station 266+11 (RP 16.5). Contract to be completed in 120 working days. Estimated contract amount on this project is between \$300,000.00 and \$6,000,000.00. The DBE contract goal is 0.0%. Cost of plans and proposal \$13.00. Cost of small cross sections \$35.00. Cost of large plans \$34.00.
7. **Federal Aid Project No. BR 61-3(17)67** Construction of an 18.3 meter cast in place concrete bridge over Box Elder Creek and the grading and plant mix surfacing of approaches thereto on US 191 in Fergus County. The project is located N. of the intersection of US 191 and Montana 19, beginning at Station 23+00 and extends N. to Station 23+89. Contract to be completed in 120 working days. Estimated contract amount on this project is between \$200,000.00 and \$500,000.00. The DBE contract goal is 0.0% Cost of plans and proposal \$10.00 per set. Small cross sections are included. Cost of large plans is \$18.00.
8. **Federal Aid Project No. STPP 84-4(9)22** Grading and gravel surfacing, plant mix bituminous surfacing on 10.829 km of the Four Corners-West project in Gallatin County. The project also includes the realignment of the Montana 84/Secondary 288 (Churchill Road) intersection. The project begins approximately 35.6 km E. of Norris at RP 22.132 (Sta 39 + 00.00) extending E. to RP 28.943 (Sta 147 + 28.53) approximately 0.212 km W. of the junction of Montana 84 and US 191 (Four Corners).
9. **Federal Aid Project No. SFCS 384-2(8)31 & STPS 532-1(11)12** Leveling and seal and cover on 40.1 km of the Treasure County Line – N. project located in Treasure County. The project begins 50 km NE of Hardin on Secondary 384 at the Big Horn – Treasure County Line (RP 31.4) and extends N. to the junction with the I-94 Interchange at Sarpy Creek (RP 57.0). **STPS 532-1(11)12** – Seal and cover on 6.4 km of the King Avenue – 72<sup>nd</sup> Street to Shiloh road project in Yellowstone County. The project begins W. of Billings at the corner of 72<sup>nd</sup> Street and King Avenue (RP 11.8) and proceeds E. on Secondary 532 (King Ave.) to the intersection with Shiloh Road (RP 15.8).
10. **Federal Aid Project No. BR 422-1(4)0 & BR 422-1(5)2** New 68.5 meter concrete prestressed girder bridge, grading, gravel surfacing, plant mix bituminous surfacing (west approach only) on 0.345 km of the Jefferson River – Silver Star project in Madison County. The project is located on Secondary 422 and Montana 41 at Silver Star and extends eastward to RP 0.35 +/- . **BR 422-1(5)2** New box culvert, grading, gravel surfacing on 0.680 km of the Irr Canal – East of Silver Star project in Madison County. The project is located on Secondary Route 422 at RP 2.30 +/- approximately 3.7 km E. of Silver Star and extends to RP 3.00 +/- Contract to be completed in 120 working days. Estimated contract cost is between \$80,000.00 and \$2,000,000.00. The DBE contract goal is 0.0%. Cost of plans and proposal \$10.00 a set. Small cross sections are included. Cost of large plans is \$26.00. Cost of dirt runs is \$10.00.

Top of Kings Hill 1933



See Other Old Highway Photos on MDT's Internet Site at: <http://www.mdt.state.mt.us/photos/photo.htm>

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**ADDRESS CORRECTION REQUESTED**

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